

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GREEN CAPITAL FUNDING LLC and HIGH SPEED  
CAPITAL LLC,

Plaintiffs,

-v-

ESJ TOWERS, INC. et al.,

Defendants.

21 Civ. 1655 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

Plaintiffs filed their Complaint on February 24, 2021, invoking the Court’s subject matter jurisdiction on the ground of diversity of citizenship under 28 U.S.C. § 1332. Dkt. 1. According to the Complaint, both Plaintiff Green Capital Funding, LLC (“GCF”) and Plaintiff High Speed Capital, LLC (“HSC”) are limited liability companies organized and existing under the laws of New York with offices in New York. *Id.* ¶¶ 1, 2. The Complaint further alleges that Defendant ESJ Towers, Inc. d/b/a Mare St. Clair is a corporation organized and existing under the laws of Puerto Rico with offices located in Puerto Rico; Defendant Around The World Holdings, LLC, a/k/a ATWH, LLC, d/b/a Around The World Holdings (“ATWH”), is a limited liability company organized and existing under the laws of Puerto Rico with offices located in Puerto Rico; and Defendant Keith Robert St. Clair is an individual residing in Florida. *Id.* ¶¶ 3, 4, 5.


A limited liability company (“LLC”) takes the citizenship of its members. *See Handelsman v. Bedford Vill. Assocs. L.P.*, 213 F.3d 48, 51-52 (2d Cir. 2000); *see also Brady v. IGS Realty Co.*, No. 19 Civ. 10142 (PAE), 2020 WL 5414683, at \*10 (S.D.N.Y. Sept. 8, 2020). A complaint premised upon diversity of citizenship must therefore allege the citizenship of natural persons who are members of an LLC as well as the place of incorporation and principal place of business of

any corporate entities that are members of the LLC. *See Handelsman*, 213 F.3d at 51-52; *see, e.g., New Millennium Cap. Partners, III, LLC v. Juniper Grp. Inc.*, No. 10 Civ. 46 (PKC), 2010 WL 1257325, at \*1 (S.D.N.Y. Mar. 26, 2010). Here, the Complaint alleges only the places of organization and business addresses of Plaintiffs GCF and HFC and Defendant ATWH, all of which are alleged to be LLCs. It does not allege their states of citizenship or the citizenship of any of their members, as is required for purposes of diversity jurisdiction.

Accordingly, it is hereby ORDERED that by March 5, 2021 Plaintiffs shall amend their Complaint to allege the citizenship of each of the Plaintiff and Defendant LLC's members. If Plaintiffs fail to amend the Complaint by that date, or otherwise properly establish this Court's jurisdiction pursuant to 28 U.S.C. § 1332(a)(2), the Court will dismiss this action for lack of subject matter jurisdiction without further notice.

SO ORDERED.

Dated: February 26, 2021  
New York, New York

  
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JOHN P. CRONAN  
United States District Judge